



Entered on Docket
October 14, 2009

Bruce A. Markell

Hon. Bruce A. Markell
United States Bankruptcy Judge

WILDE & ASSOCIATES
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Wells Fargo Home Mortgage
09-70722 / 0257921551

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In Re:

Annie Phillips

Debtor.

BK-S-09-15389-bam

MS Motion No.

Date: 9/22/09

Time: 9:30 AM

Chapter 13

ORDER RE ADEQUATE PROTECTION

Secured Creditor's Motion for Relief from the Automatic Stay having come on for hearing in the above-entitled Court, all appearances as noted on court record, and based upon all the papers and pleadings on file herein and good cause appearing therefor,

1 IT IS HEREBY ORDERED, ADJUDGED and DECREED that the debtor will cure the post-
 2 petition arrearages currently due as follows:

3	4 Monthly Payments at \$1,696.11	\$6,784.44
4	(June 1, 2009-September 1, 2009)	
5	5 Late Charges at \$65.36 each	\$ 326.80
6	(May 16, 2009-September 16, 2009)	
7	Motion Filing Fee	\$ 150.00
8	Attorneys Fees	\$ 750.00
9	Less suspense	<u>(\$1,303.89)</u>
10	Total Arrearages	\$6,707.35

11 The above arrearage shall be paid in five (5) monthly installments of \$1,117.89 and one (1) final
 12 monthly installment of \$1,117.90 These payments shall be in addition to the regular monthly payment
 13 and shall be due on or before the 20th day of the month commencing with the October 20, 2009 payment
 14 and continuing throughout and concluding on or before March 20, 2010.

15 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall give
 16 Debtor at least five business days' notice of the time, place and date of sale.

17 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Debtor shall resume and
 18 maintain the regular monthly payments in a timely fashion, outside of any Bankruptcy Plan, beginning
 19 with the October 1, 2009 , payment, on Secured Creditor's Trust obligation, encumbering the subject
 20 Property, generally described as 1129 Mill St. , Ely, NV 89301, and legally described as follows:

21 Lots 14, 15, 16, 17 and 18, Block A of the WHITE BROWN ADDITION TO THE CITY OF
 22 ELY, according to the Official Map thereof, filed in the office of the County Recorder of White Pine
 23 County, Nevada, State of Nevada.

24 IT IS FURTHER ORDERED, ADJUDGED and DECREED that if the Debtor fails to make any
 25 payments as stated in this Order, or fail to maintain the regular monthly payments on Secured Creditor's
 26 Trust Deed obligation, allowing the normal grace period, then Secured Creditor may file and serve upon
 Debtors and Debtors' counsel, a fifteen (15) Day Notice Declaration Re Breach of Condition. For each such
 Declaration Re Breach of Condition filed, there shall be assessed an attorney fees of \$100.00, to be paid by
 the Debtors upon any reinstatement. If upon the sixteenth (16th) day Debtors have failed to cure the
 delinquency, then Secured Creditor may submit to this Court an Order vacating the automatic stay as to

1 Secured Creditor, and Secured Creditor may thereafter proceed with foreclosure proceedings upon the
2 subject Property, pursuant to applicable State Law, and take any action necessary to obtain complete
3 possession thereof.
4

5 Submitted by:

6 WILDE & ASSOCIATES
7

8 By  #10235

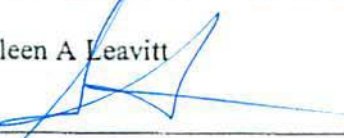
9 **GREGORY L. WILDE, ESQ.**

10 Attorneys for Secured Creditor

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12 APPROVED AS TO FORM & CONTENT:

13 Kathleen A Leavitt 

14 By

15 Kathleen A Leavitt

Chapter 13 Trustee

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Roger P. Croteau

By 

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